

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
(Indianapolis Division)**

RED BARN MOTORS, INC., *

PLATINUM MOTORS, INC., *

MATTINGLY AUTO SALES, INC., *

YOUNG EXECUTIVE MANAGEMENT *

& CONSULTING SERVICES, INC., *

Individually, and on behalf of other *

members of the general public *

similarly situated, *

V.

**COX ENTERPRISES, INC.,
COX AUTOMOTIVE, INC.,
NEXTGEAR CAPITAL, INC.,
F/K/A DEALER SERVICES
CORPORATION, successor by merger
with Manheim Automotive Financial
Services, Inc., and JOHN WICK,**

DOCKET NO. 1:14-cv-01589-TWP-DKL

CLASS ACTION

Jury Trial Demanded

DECLARATION OF KATHLEEN A. DELANEY IN SUPPORT OF PLAINTIFFS'
MOTION FOR CLASS CERTIFICATION AND APPOINTMENT OF CLASS COUNSEL

I, Kathleen A. DeLaney, being first duly sworn upon my oath and under penalties of perjury, do hereby make the following statements based upon my own personal knowledge:

1. My name is Kathleen A. DeLaney, and I am the above-named individual.
2. I am an adult of sound mind, and all of the statements in this Declaration are of my own personal knowledge.
3. I make this Declaration in support of Plaintiffs' Motion for Class Certification and Appointment of Class Counsel. I am the managing member of DeLaney & DeLaney LLC, one of the counsel of record representing the named plaintiffs in the above-referenced matter.

4. I currently reside in Marion County, Indiana. I have lived in Marion County for most of my life, and most recently since 1994.
5. I am in the private practice of law, having graduated *summa cum laude*, Order of the Coif, and Order of the Barristers, from the Indiana University Maurer School of Law – Bloomington in May, 1995.
6. I was admitted to the Indiana Bar in October, 1995. I was admitted to the Illinois Bar in July, 2016. I am also admitted to practice before the United States Court of Appeals for the Seventh Circuit, the United States District Court for the Southern District of Indiana, and the United States District Court for the Northern District of Indiana.
7. After law school, I served as a law clerk for the Honorable David F. Hamilton, while he was a United States District Court Judge for the Southern District of Indiana. Judge Hamilton now serves on the Seventh Circuit Court of Appeals.
8. From September, 1997, through December, 2001, I was an associate attorney with the law firm Ice Miller in Indianapolis. I practiced in the litigation section handling a variety of complex matters.
9. In the courtroom, my experience includes jury trials, bench trials, and appellate arguments. I have handled multiple ERISA matters as lead counsel.
10. I serve by invitation as the Secretary of the Local Rules Advisory Committee for the United States District Court for Southern District of Indiana. I serve by invitation on the Supreme Court of Indiana's Character and Fitness Committee of the State Board of Law Examiners. I previously completed terms as a Barrister in the Sagamore

American Inn of Court. I am a member of the public arbitrator panel of the FINRA Dispute Resolution Board of Arbitrators.

11. In January 2002, my mother, Ann DeLaney, and I began our litigation practice in Indianapolis. DeLaney & DeLaney, LLC provides services to a variety of clients in many types of litigation. On December 12, 2005, DeLaney & DeLaney LLC was appointed interim liaison counsel for the putative class *In RE Guidant Corporation Erisa Litigation*, Cause No. 1:05-cv-01009-LJM-TAB (See Docket 44).
12. On September 29, 2009, DeLaney & DeLaney LLC was appointed class counsel for the certified class in *Ormond v. Anthem*, Cause No. 1:05-cv-01908-TWP-TAB (See Docket 195). I actively participated in the Ormond litigation from 2008 through settlement in 2013.

I DECLARE AND AFFIRM UNDER THE PENALTIES OF PERJURY THAT THE FOREGOING FACTS AND REPRESENTATIONS ARE TRUE AND CORRECT.

Executed at Indianapolis, Indiana, this 28th day of September, 2016.


KATHLEEN A. DELANEY